

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

A

PLAINTIFF
RICKEY ROBINSON-EL (#K-82958)COURT CASE NUMBER
07 C 6412

07cv 6412

DEFENDANT
CHARLES PETERSON, ETAL.TYPE OF PROCESS
SUMMONS & COMPLAINT-WAIVER

SERVE AT NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
 TERRY L. MCCANN, WARDEN AT STATEVILLE CORRECTIONAL CENTER
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
 P.O. BOX 112 JOLIET, IL 60434

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

RICKEY ROBINSON - #k-82958
 STATEVILLE CORRECTUIONAL CENTER
 P.O. BOX 112
 JOLIET, il 60434

Number of process to be
served with this Form 285

1

Number of parties to be
served in this case

8

Check for service
on U.S.A.

X

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN LOCATING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

FILED

J.N

JUL 14 2008

Jul 14, 2008

MICHAEL W. DOBBINS

CLERK, U.S. DISTRICT COURT

Fold

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

DATE

06-06-08

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total
 number of process indicated.
 (Sign only for USM 285 if more
 than one USM 285 is submitted)

Total Process
 5-078

District of
 Origin
 No. 24

District to
 Serve
 No. 24

Signature of Authorized USMS Deputy or Clerk

R.T.

Date

06-06-08

I hereby certify and return that I ☐ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion
 then residing in defendant's usual place
 of abode

Address (complete only different than shown above)

Received signed waiver of summons
 from T. McCann.

Date
 6-30-08

Time

☐ am
☐ pm

Signature of U.S. Marshal or Deputy

Service Fee

Total Mileage Charges
 (including enclaves)

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal* or
 (Amount of Refund)

REMARKS:

MAILED WAIVER AND CERTIFIED MAIL ON JUNE 6, 2008 - CERTIFIED MAIL NUMBER : 7007 0710 0000 9548 4787

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
 Rev. 12/15/80
 Automated 01/00

United States District Court
Northern District of Illinois

SUMMONS IN A CIVIL ACTION

Rickey Robinson-EL
Plaintiff

CASE NUMBER: 07cv6412

vs.

JUDGE: Virginia M. Kendall

Peterson et al
Defendant

TO: Terry L. McCann

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon plaintiff's attorney:

Name: Rickey Robinson-EL
K-82958
Address: P.O. Box 112
City: Joliet, IL 60434

an answer to the complaint which is herewith served upon you, within [20] days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

By: Roberto Perez
Deputy Clerk

Dated: June 5, 2008

RECEIVED
UNITED STATES MARSHAL
2008 JUN -6 PM 12:37
NORTHERN DISTRICT OF IL.
ADMINISTRATIVE SECTION

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me: ^	DATE	
NAME OF SERVER (Print)	TITLE	
Check one box below to indicate appropriate method of service:		
<p><input type="checkbox"/> Served personally upon the defendant. Place where served: _____</p> <p>_____</p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____</p> <p>_____</p> <p><input type="checkbox"/> Returned unexecuted: _____</p> <p><input type="checkbox"/> Other (specify): _____</p> <p>_____</p> <p>_____</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> Date Signature of Server </div> <p style="text-align: center; margin-top: 20px;">_____ Address of Server</p> <p>^As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.</p>		

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

(DISTRICT)

Waiver of Service of Summons

TO: RICKEY ROBINSON-EL (#K-82958)

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, TERRY L. MCCANN

(DEFENDANT NAME)

acknowledge receipt of your request that I waive

service of summons in the action of RICKEY ROBINSON-EL VS. CHARLES PETERSON, ETAL.

(CAPTION OF ACTION)

which is case number 07 C 6412

(DOCKET NUMBER)

in the United States District Court for the

NORTHERN DISTRICT OF ILLINOIS

(DISTRICT)

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after JUNE 6, 2008

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

6-30-08
DATE

[Signature]
SIGNATURE

Printed/Typed Name: TERRY MCCANN

As WARDEN

TITLE

of STATEVILLE CORRECTIONAL CENTER

CORPORATE DEFENDANT

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown to its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against the defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me: ^	DATE	
NAME OF SERVER (Print) <u>Kathy Sandlin</u>	TITLE <u>Lit Coord.</u>	
Check one box below to indicate appropriate method of service:		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>16830 South Rt. 53</u> <u>Crest Hill, IL</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____	<u>Kathy Sandlin</u> Signature of Server	
Date	<u>16830 South Rt. 53, Crest Hill, IL</u> Address of Server	
^As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.		